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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/795,805	03/08/2004	Richard K. Squires	2516.STS.CN	7709

26986 7590 10/13/2004

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EXAMINER	
TRIEU, THAI BA	

ART UNIT	PAPER NUMBER
3748	

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/795,805	SQUIRES, RICHARD K.	
	Examiner	Art Unit	
	Thai-Ba Trieu	3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-37 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-37 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 08 March 2004 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. IN THE ABSTRACT:

In order to meet the requirement set forth below, applicant is required to revise the Abstract of the instant application, since it is too long and contains ***165*** words:

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of ***50 to 150 words***. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. IN THE SPECIFICATION:

The disclosure is objected to because of the following informalities:

1. Reference character **-- 58 --** should be inserted after ***"turbine"*** (See Page 20, Paragraph [0041], line 7), in order to match with Figure 1A.

2. Reference character ***"120"*** has been used to designate both ***" the space"*** (See Page 28, Paragraph [0054], line 3) and ***"the vehicle"*** (See Page 30, Paragraph [0058], lines 2 and 4).

3. Reference characters ***"114"*** (See Page 29, Paragraph [0055], line 7) and ***"118"*** (See Page 30, Paragraph [0057], line 3) have both been used to designate ***"the turbine"***.

Note that each element should be labeled with one number, and no new matters are added to the specification.

4. The ***"throttle body"*** (See Claim 24, line 18), and ***"relay"*** (See Claim 27, line 2) should be described in the specification.

Appropriate correction is required.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show ***"506"*** (See Figure 1C) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary

to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the ***" throttle body"*** (See Claim 24, line 18); ***"relay"*** (See Claim 27, line 2); ***"air mass flow sensor"*** (See Claim 28,line 2) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of

the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-37 are objected to because of the following informalities:

1. In claim 1:

-- A turbocharger system for [[a]] **an internal** combustion engine, comprising:

a turbocharger having an oil inlet configured for being coupled to a pressure side of an oiling system [[and]] , an oil outlet, an exhaust inlet, [[and]] **an exhaust** outlet , [[and]] an air charge inlet , and an **air charge** outlet;

an oil pump in fluid communication with the oil outlet, and configured for being in fluid communication with the oiling system;

a pressure driven check valve in fluid communication with the oil inlet to prevent oil from flowing into the turbocharger when the pressure on the pressure side of the oiling system drops below a predetermined level; **and**

mounting hardware for mounting the turbocharger to an exhaust pipe and away from the **internal combustion** engine , and at or below the

oil level of the oiling system *(for correcting grammatical error and for maintaining the consistency of claims and specification)*. –

2. In claim 2:

-- The **turbocharger** system of claim 1, wherein said oiling system is the oiling system of [[the]] a vehicle for [[engine lubrication]] **lubricating the internal combustion engine** *(for maintaining the consistency of claims and specification)*.--

3. In claim 3:

-- The **turbocharger** system of claim 1, further comprising hardware for mounting the turbocharger at the location of a vehicle's existing muffler. *(for maintaining the consistency of claims)*--

4. In claim 4:

-- The **turbocharger** system of claim 1, wherein an outlet of [[said]] **a** check valve is positioned above said oil inlet of said turbocharger and an inlet of said oil pump is positioned near said oil outlet of said turbocharger *(for avoiding of lacking antecedent basis in claims and for maintaining the consistency of claims and specification)*.--

5. In claim 5:

-- The **turbocharger** system of claim 1, further comprising an air filter coupled to the air charge inlet of the turbocharger *(for maintaining the consistency of claims).*--

6. In claim 6:

-- The turbocharger system of claim 5, further comprising [[ducting]] **a ducting means, or a duct, or a pipe, or a passage, or a conduit** for coupling said air filter to said turbocharger at a location away from an engine compartment of the vehicle, the location being relatively isolated from road debris *(for maintaining the consistency of claims and specification).*--

Note that applicant should use only one word among the others, and should revise the specification to match with the word being selected.

7. In claim 7:

-- The **turbocharger** system of claim 6, wherein said [[ducting]] **a ducting means, or a duct, or a pipe, or a passage, or a conduit** is configured to mount said air filter in a fender well of a vehicle *(for maintaining the consistency of claims and specification).*--

Note that applicant should use only one word among the others, and should revise the specification to match with the word being selected.

8. In claim 8:

-- The **turbocharger** system of claim 1, further comprising a waste-gate coupled between an exhaust system of the vehicle at a location before the exhaust inlet of the turbocharger and a tall pipe of the vehicle. *(for maintaining the consistency of claims)*--

9. In claim 9:

-- The **turbocharger** system of claim [[10]] 1 further comprising a water injection system coupled to [[the]] ***a*** charge air tube for injecting water into the flow of gases exiting the turbocharger compressor to cool the charge air and **to reduce** combustion temperatures *(for avoiding of lacking antecedent basis in claims and for maintaining the consistency of claims and specification)*.

10. In claim 10:

-- The **turbocharger** system of claim 1, further comprising a waste-gate control system for regulating boost pressure *(for maintaining the consistency of claims and specification)*.--

11. In claim 11:

-- The **turbocharger** system of claim 1, further comprising a pump controller for varying the speed of the pump according to engine speed *(for maintaining the consistency of claims and specification)*.--

12. In claim 12:

-- A method of mounting a turbocharger to [[a]] **an internal** combustion engine driven vehicle, comprising [[;]]**:**

mounting an exhaust inlet of a turbocharger to the exhaust system of the vehicle at a location at or below the oil level of the vehicle at a remote location away from [[the]] **an** engine compartment, the turbocharger also having an oil inlet and an oil outlet coupled to an oil system, an exhaust outlet coupled to [[the]] **an** exhaust pipe of the vehicle, and an air charge outlet coupled to [[the]] **an** air intake manifold of the vehicle and an air charge inlet; and

coupling an oil pump between the oil outlet of the turbocharger and a reservoir side of [[an] **the** oil system *(for correcting grammatical error, for avoiding of lacking antecedent basis in claims, and for maintaining the consistency of claims and specification)*.

13. In claim 13:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising removing an existing muffler from the vehicle and mounting the turbocharger in the location of the existing muffler *(for maintaining the consistency of claims)*.--

14. In claim14:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising installing a check valve between the turbocharger oil inlet and [[the]] a pressure side of the [[enginesll **engine** oil system *(for correcting grammatical error and for maintaining the consistency of claims)*.--

15. In claim 15:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising positioning an inlet to the oil pump near the oil outlet of the turbocharger *(for maintaining the consistency of claims)*.--

16. In claim 16:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising coupling an air filter to the air charge inlet *(for maintaining the consistency of claims)*. --

17. In claim 17:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 16, further comprising installing the air filter at a location away from an engine compartment of the vehicle, the location being relatively isolated from road debris *(for maintaining the consistency of claims)*.--

18. In claim 18:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 17, wherein said location is a fender well of the vehicle *(for maintaining the consistency of claims)*.--

19. In claim 19:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising coupling a waste-gate between the exhaust [[system]] pipe of the vehicle

at a location before the exhaust inlet of the turbocharger and a tail pipe of the vehicle *(for maintaining the consistency of claims)*.--

20. In claim 20:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising coupling a water injection system to the turbocharger for injecting water into the [[flow of gases]] **exhaust gas flow** exiting the turbocharger to cool the charge air and **to reduce** combustion temperatures *(for maintaining the consistency of claims)*.--

21. In claim 21:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising providing a modified engine oil fill cap with fittings to couple to an oil return line extending between the oil pump and the fill cap *(for maintaining the consistency of claims)*.--

22. In claim 22:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising

providing a waste-gate control system for regulating boost pressure *(for maintaining the consistency of claims)*.--

23. In claim 23:

-- The method of **mounting a turbocharger to an internal combustion engine driven vehicle** of claim 12, further comprising providing a pump controller for varying the speed of the pump according to engine speed *(for maintaining the consistency of claims)*.--

24. In claim 24:

-- A turbocharger installation kit for combustion engine, comprising:

a turbocharger;

[[a]] an oil pump;

first exhaust plumbing for coupling the turbocharger to an existing exhaust [[system]] pipe of a vehicle proximate the location of an exiting muffler of the vehicle;

an oil supply line for coupling to [[the]] an oiling system of the vehicle ;

a check valve for coupling to the oil supply line and for preventing [[flow of oil]] **oil flow** into the turbocharger when the engine is not running;

an oil drain line for coupling between the turbocharger and the oil pump;

an oil return line for coupling between the oil pump and the oiling system of the vehicle; and

a first duct for delivering air from the turbocharger to a throttle body of the engine *(for correcting grammatical error and for maintaining the consistency of claims)*.--

25. In claim 25;

-- The **turbocharger installation** kit of claim 24, further comprising second exhaust plumbing for coupling to the turbocharger and exiting exhaust from the turbocharger *(for maintaining the consistency of claims)*.--

26. In claim 26:

-- The **turbocharger installation** kit of claim 24, further comprising mounting hardware for mounting the pump to an underside of the vehicle *(for maintaining the consistency of claims)*.--

27. In claim 27:

-- The **turbocharger installation** kit of claim 24, further comprising an electrical harness, switch, and relay for providing variable voltage to

the oil gear pump to adequately meet the varying flow requirements of the turbocharger while reducing the noise output of the gear pump when flow requirements are minimal *(for maintaining the consistency of claims)*.--

28. In claim 28:

-- The **turbocharger installation** kit of claim 24, further comprising ducting and hardware for mounting a mass air flow sensor *(for maintaining the consistency of claims)*.--

29. In claim 29:

-- The **turbocharger installation** kit of claim 24, further comprising a pressure hose and fittings to connect [[the]] **a** vehicle fuel pressure regulator to [[the]] **an** intake tube, **an** intake manifold, or [[more specifically] to [[the]] **an** exhaust [[system]] pipe between the engine and the turbocharger *(for avoiding of rejecting of 112 second paragraph and of lacking antecedent basis in claims, and for maintaining the consistency of claims)*.--

30. In claim 30:

-- The **turbocharger installation** kit of claim 25, wherein the second set of exhaust plumbing is configured to suspend the turbocharger *(for maintaining the consistency of claims)*.--

31. In claim 31:

-- The **turbocharger installation** kit of claim 24, further comprising an oil return coupling comprised of an engine oil fill cap with a fitting for coupling to the oil return line *(for maintaining the consistency of claims)*.--

32. In claim 32:

-- The **turbocharger installation** kit of Claim 24, further comprising an air filter for coupling to the turbocharger *(for maintaining the consistency of claims)*.--

33. In claim 33:

-- The **turbocharger installation** kit of Claim 24, further comprising a waste-gate for coupling between the first exhaust plumbing and the second exhaust plumbing *(for maintaining the consistency of claims)*.--

34. In claim 34:

-- The **turbocharger installation** kit of Claim 24, further comprising a waste-gate control system comprised of a switch, **a** two-way valve, **a** pressure regulator, **a** wiring harness, and necessary fittings and hoses for adding regulated boost pressure to increase **a** spring rate of waste-gate, allowing [[the]] **an** increase or **a** decrease of boost pressure while driving

said vehicle *(for avoiding of lacking antecedent basis in claims and for maintaining the consistency of claims)*.--

35. In claim 35:

-- The **turbocharger installation** kit of claim 24, further comprising a water injection system configured for coupling to the charge air tube for injecting water into the [[flow of gases]] **exhaust gas flow** exiting the turbocharger compressor to cool the intake charge and combustion temperatures *(for maintaining the consistency of claims)*.--

36. In claim 36:

-- The **turbocharger installation** kit of claim 24, further comprising a waste-gate control system for regulating boost pressure *(for maintaining the consistency of claims)*.--

37. In claim 37:

-- The **turbocharger installation** kit of claim 24, further comprising a pump controller for [[varying]] **regulating** the speed of the pump according to engine speed *(for maintaining the consistency of claims)*.--

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the

unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-37 rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-37 of U.S. Patent No. 6,745,568 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-37 of the patent anticipate application claims 1-37. Accordingly, application claims 1-37 are not patentably distinct from patent claims 1-37.

CLAIMS	PATENT CLAIMS REQUIRE THE FOLLOWING ELEMENTS	APPLICATION CLAIMS REQUIRE THE FOLLOWING ELEMENTS
1	- a turbocharger having an oil inlet...; - an oil pump...; - a pressure driven check valve...; and - mounting hardware...	- a turbocharger having an oil inlet...; - an oil pump...; - a pressure driven check valve...; and - mounting hardware...
2	- said oil system ... for engine lubrication.	- said oil system ... for engine lubrication.
3	- hardware for mounting the	- hardware for mounting the

	turbocharger...	turbocharger...
4	- an outlet of said check valve ...	- an outlet of said check valve ...
5	- a filter coupled to the air...	- a filter coupled to the air...
6	- a duct for coupling said air filter...	- a duct for coupling said air filter...
7	- said ducting being configured...	- said ducting being configured...
8	- a waste-gate coupled between an exhaust system...	- a waste-gate coupled between an exhaust system...
9	- a water injection system...	- a water injection system...
10	- a waste-gate control system for regulating boost pressure.	- a waste-gate control system for regulating boost pressure.
11	- a pump controller...	- a pump controller...
12	- mounting an exhaust inlet of a turbocharger to the exhaust system of the vehicle at ...; and - coupling an oil pump...	- mounting an exhaust inlet of a turbocharger to the exhaust system of the vehicle at ....; and - coupling an oil pump...
13	- removing an existing muffler from the vehicle...	- removing an existing muffler from the vehicle...
14	- installing a check valve....	- installing a check valve....
15	- positioning an inlet to the oil pump near the oil outlet of the turbocharger.	- positioning an inlet to the oil pump near the oil outlet of the turbocharger.
16	- coupling an air filter to the air	- coupling an air filter to the air

	charge inlet.	charge inlet.
17	- installing the air filter at a location away from an engine compartment...	- installing the air filter at a location away from an engine compartment...
18	- said location being fender well of the vehicle.	- said location being fender well of the vehicle.
19	- coupling a waste-gate between the exhaust system...	- coupling a waste-gate between the exhaust system...
20	- coupling a water injection system...	- coupling a water injection system...
21	- providing an engine oil fill cap...	- providing an engine oil fill cap...
22	- providing a waste-gate control system for regulating boost pressure.	- providing a waste-gate control system for regulating boost pressure.
23	- provide a pump controller...	- provide a pump controller...
24	- a turbo charger ; - a pump ; - first exhaust plumbing...; - an oil supply line...; - a check valve...; - an oil drain line...; - an oil return line...; and - a first duct for delivering air...	- a turbo charger ; - a pump ; - first exhaust plumbing...; - an oil supply line...; - a check valve...; - an oil drain line...; - an oil return line...; and - a first duct for delivering air...
25	- a second exhaust plumbing...	- a second exhaust plumbing...

26	- mounting hardware for mounting the pump to the underside of the vehicle.	- mounting hardware for mounting the pump to the underside of the vehicle.
27	- an electrical harness, switch, and relay for providing variable voltage to the oil gear pump…	- an electrical harness, switch, and relay for providing variable voltage to the oil gear pump…
28	- ducting and hardware for mounting a mass air flow sensor.	- ducting and hardware for mounting a mass air flow sensor.
29	- pressure hose and fittings to connect the vehicle fuel pressure regulator to an intake tube…	- pressure hose and fittings to connect the vehicle fuel pressure regulator to an intake tube…
30	- the second set of exhaust plumbing…	- the second set of exhaust plumbing…
31	- an oil return coupling…	- an oil return coupling…
32	- an air filter for coupling…	- an air filter for coupling…
33	- a waste-gate for coupling…	- a waste-gate for coupling…
34	- a waste-gate control system comprising of a switch, two-way valve, pressure regulator…	- a waste-gate control system comprising of a switch, two-way valve, pressure regulator…
35	- a water injection system…	- a water injection system…
36	- a waste-gate control system for regulating boost pressure.	- a waste-gate control system for regulating boost pressure.

37	- a pump controller...	- a pump controller...

Thus it is apparent that the more specific patent claims **1-37** encompasse application claims **1-37**. Following the rationale in In re Goodman cited in the preceding paragraph, where applicant has once been granted a patent containing a claim for the specific or narrower invention, applicant may not then obtain a second patent with a claim for the generic or broader invention without first submitting an appropriate terminal disclaimer. Note that since Application claims **1-37** are anticipated by Patent claims **1-37** and since anticipation is the epitome of obviousness, then Application claims **1-37** are obvious over Patent claims **1-37**.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Conclusion

The IDS (PTO-1449) filed on September 09, 2003 has been considered. An initialized copy is attached hereto.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Widenhorn (US Patent Number 5,499,693) discloses a method an apparatus for lubricating of a turbocharger.

- Horler (US Patent Number 4,752,193) discloses an exhaust gas turbocharged internal combustion engine having a device to prevent losses of lubricant.

- Minami et al. (US Patent Number 4,422,295) disclose a lubricating system for a turbocharger.

- Keller (US Patent Number 4,926,641) discloses a lubrication system for a turbocharger.

- Naitoh et al. (US Patent Number 4,928,637) disclose a cooling system for a turbocharged internal combustion engine.

- Janthur (US Patent Number 4,958,600) discloses a liquid cooling system for a turbocharged internal combustion engine.

- Pozivil (US Patent number 6,439,836 B1) discloses a cryogenic turbo-expander including a reservoir for lubricating oil.

- Barrier (Patent Number FR 2 584 778 A1) discloses a lubrication circuit for the bearings of a turbocharged internal combustion engine.

- Robert (Patent Number FR 2 684 744 A1) discloses a method for lubricating bearings of a turbo-compressor.

- Elsbett et al. (Patent Number DE S644S56 A1) disclose a method of lubricating and cooling the turbine shaft of an exhaust turbocharger.

- Miyamura (Patent Number JP 59190427 A) discloses a lubricating device of a turbocharger.

- Aoyanagi et al. (Patent Number JP 60104721 A) disclose a cooling apparatus for a turbocharger.

- Inoue (Patent Number JP 622S5421 A) lubrication device for a turbocharger.

- Saito et al. (Patent Number JP 55101729 A) discloses a lubricating system for

a turbocharged internal combustion engine.

- Yamazaki (Patent Number JP 61058126 A) discloses a preventive device for a turbocharger from seizure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai-Ba Trieu whose telephone number is (703) 308-6450. The examiner can normally be reached on Monday - Thursday (6:30-5:00).

However, the examiner' s new telephone number (751) 272-4867 will become effective after the expected changeover date of November 22, 2004.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on (703) 308-2623. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTB
October 6, 2004

Thai-Ba Trieu
Patent Examiner
Art Unit 3748